

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

IN RE:) BANKRUPTCY CASE
)
ADRIAN STAFFORD VERWAYNE,) NO.: 18-50346-BEM
)
Debtor.) CHAPTER 13
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)

OBJECTION TO CONFIRMATION

COMES NOW Freedom Mortgage Corporation (hereinafter known as "Creditor"), a secured creditor holding a Security Deed against the real property commonly known as 130 Wynfield Way SW, Atlanta, GA 30331 (the "Property"), and for the reasons stated below, objects to confirmation of Debtor's Chapter 13 plan (Doc. No. 2) (the "Plan").

1.

This Chapter 13 case was filed on January 8, 2018. Debtor filed a prior case, 17-51537, which was dismissed on January 4, 2018.

2.

Debtor's Plan underestimates the estimated prepetition arrearage amount of \$56,788.00 owed to Creditor for the Property. Debtor's Plan proposes to pay a mere \$15.00 upon confirmation. Plan proposes that the payments will increase to \$1,314.00 after attorney fees are paid, but it does not provide a specific date as to when payments will increase. Creditor asks that the Debtor begin paying larger payments upon confirmation and throughout the life of the Debtor's Plan.

3.

Creditor reserves the right to raise the failure of Debtor to have made post-petition mortgage payments if at the time of the confirmation hearing that appears to be the case.

WHEREFORE, Creditor prays that the Court will:

1. Deny confirmation,
2. Award reasonable attorney's fees, and
3. Grant such other and further relief as is just and equitable.

/s/A. Michelle Hart Ippoliti

A. Michelle Hart Ippoliti
GA BAR NO. 334291
Attorney for Creditor
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In Re: Adrian Stafford Verwayne

Bankruptcy Case No.: 18-50346-BEM

Chapter: 13

Judge Barbara Ellis-Monro

CERTIFICATE OF SERVICE

I, A. Michelle Hart Ippoliti, of MCCALLA RAYMER LEIBERT PIERCE, LLC, 1544 Old Alabama Road, Roswell, Georgia 30076-2102, certify:

That I am, and at all times hereinafter mentioned, was more than 18 years of age;

That on the date below, I served a copy of the within OBJECTION TO CONFIRMATION filed in this bankruptcy matter on the following parties at the addresses shown, by regular United States Mail, with proper postage affixed, unless another manner of service is expressly indicated:

Adrian Stafford Verwayne
130 Wynfield Way
Atlanta, GA 30331

Karen King
King & King Law LLC
215 Pryor Street, S.W.
Atlanta, GA 30303

(served via email at notices@kingkingllc.com)

Mary Ida Townson, Trustee
191 Peachtree Street, NE
Suite 2200
Atlanta, GA 30303-1740

(served via email)

I CERTIFY UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

Executed on: 2/26/2018
(date)

By: /s/A. Michelle Hart Ippoliti
A. Michelle Hart Ippoliti
Georgia BAR NO. 334291
Attorney for Creditor